S/N 10/808,987

SEP 2 8 2006

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PATENT

Applicant:

David A. Orbits et al.

Examiner:

Neveen Abel Jalil

Serial No.:

10/808,987

Group Art:

2165

Filed:

March 24, 2004

Docket:

40062.91USC1

Title:

SYSTEM AND METHOD FOR RELIABLY REPLICATING DATA

CERTIFICATE UNDER 37 CFR 1.6(d): I certify that this paper is being transmitted by facsimile \$71-273-8300, Commissioner for Patents, ATTN: Neveron Abel Jalil, U.S. Patent and Tradema K Office, P.O. Box 1450, Alexandria, VA 22313-1450 on April 13, 2006.

RESPONSE TO OFFICE ACTION

VIA FACSIMILE #571-273-8300 Commissioner for Patents ATTN: Examiner Neveen Abel Jalil P.O. Box 1450 Alexandria, VA 22313-1450

Dear Madam:

In the Office Action mailed March 13, 2006, a Restriction Requirement was issued under 35 U.S.C. 121. The Restriction Requirement requested election of either Claims 1-6 and 18-20, or Claims 7-17. As discussed with the Examiner in a telephone conversation on March 22, 2006, a preliminary amendment canceling Claims 7-17 was filed with the present continuation application on May 24, 2004. Thus, the Restriction Requirement is not applicable.

Appln. Number: 10/808,987 Response dated April 13, 2006

Reply to Office Action of March 13, 2006

Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the Applicants at the telephone number provided below.

Respectfully Submitted,

MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, MN 55402-0903

Registration No. 57,291 Direct Line: 206.342.6261

27488 PATENT TRADEMARK OFFICE

206-342-6201

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Title of Document Transmitted: Copy of Response filed April 13, 2006

Applicant: David Orbits et al.

Serial No.: 10/808,987 Filed: March 24, 2004 Group Art Unit: 2165

Our Ref. No. 40062.91USC1 Confirmation No. 6801

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

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stable Disentence a mas p.c. 790-40-40 10 1-077 P N:/504 P-08 National Court Merchant & Gould SHOWS THEY W/90 277 9081 Fax Trunsmission | April 13, 2005 FROM: John J. Perrell ATTAL Extendent Nation Abel-hall P.O. Box 1450 Alexandric, VA 22113-1450 OUR REF: 40062.91USC1 (1976) TELEPHONE 206.342.6261 Total pages, including cover lesses: 4 PEO FAX NUMBER 1-371-272-1000 If you do NOT receive all of the pages, plant telephone us at 206.142,6202, or have at 206.242,6202, or have at Document Totalmined: Essentialist (in Assistan), Resource in Office Action STETEM AND METHOD FOR REPLICATING DATA Death A. Cobrard, 09017-20, Adv 26 2001. Applicati: Seda. Ko: Filed: July 5 George Are Unit: 2163 Our Ref. No.: 46062 4000 91090 "este Charge my additional files or credi; overprismen to Deposit Account No. 13-2723, Please consider this a Petti Light MCM "ATTARESTING for TIMP for a Additional humber of months to enter these papers, if appropriate. i hereby cettify that this paper is turing manu. Tradmark Office on the date above below. April 23, 200g PAGE OF ACABAT A OCHOR EXT. IS PAGE I INTO BARRET There's SIGNATION FROM STATE OF CHARLES AND CONTRACT AND A SIGNATURE AND A SIGNATURE OF CONTRACT AND A SIGNATURE OF CONT